

IOWA JUVENILE HOME PROTECTION TASK FORCE “Task Force”

MEETING MINUTES SEPTEMBER 30, 2013

TASK FORCE

Jerry R. Foxhoven, Task Force Chair, Executive Director, Drake Legal Clinic
Charles M. Palmer, Director, Iowa Department of Human Services
Dr. Mark R. Peltan, Director, Behavioral Services, Mercy Medical Center – North Iowa
Ron Stehl, MSW/LISW, Consultant
Dr. Mary Stevens, Director of Special Education, Area Education Agency 267

STAFF

Mark Day, Interim Superintendent, Iowa Juvenile Home, Girls State Training School, Iowa Department of Human Services
Eric DeTemmerman, Mental Health and Disability Services Division, Iowa Department of Human Services
Jen Harbison, Policy Advisor, Iowa Department of Human Services
Amy McCoy, Public Information Officer, Iowa Department of Human Services
Rick Shults, Mental Health and Disability Services Division Administrator, Iowa Department of Human Services

GUESTS

Chuck Anderson, AFSCME
Josh Bronsink, Senate Republicans
Linda Brundies, Office of Ombudsman
Alex Drzycimski, AFSCME
Dean Fisher, House of Representatives
Dorothy Frese, Iowa Juvenile Home
Jim Friberg, Inspection and Appeals
Jane Hudson, Disability Rights IOWA
Sandi Hurtado-Peters, Department of Management
Mike Husak, Piney Ridge Center
Steve Johnson, Magellan Behavioral Center
Clark Kauffman, Des Moines Register
Nathan Kirstein, Disability Rights IOWA
Gretchen Kraemer, Attorney General's Office
Sue Lerdal, In Lieu of Urbandale

Guests (Continued)

Steve Michael, CJJP

Morgan Miller, AFSCME

Kathy Nesteby, CJJP

Kristie Oliver, Coalition for Family and Children's Services

John Pollak, Legislative Services Agency

Lori Rinehart, Children's Justice- Iowa task Force for Young Women

Beth Rydberg, Disability Rights IOWA

Diane Sawyer, Iowa Juvenile Home/ AFSCME

Jennifer Tibbetts, ITFYW

Rebecca West

Roxy West, AFSCME

Beverly Zylstra, Inspections and Appeals

CALL TO ORDER

Jerry Foxhoven, Chair, called the Task Force meeting to order at 10:03 a.m., Monday, September 30, 2013, at River Place in Des Moines. Mr. Foxhoven welcomed the Task Force members and meeting guests. September 24, 2013 meeting minutes were approved by the Task Force members. Meeting minutes were available in hard-copy to meeting attendees and can be found on the DHS facility web-site. Foxhoven noted that the group presenting from the Iowa Department of Education would be running late today so we would adjust the schedule accordingly.

ROLL CALL

All Task Force members were present.

IOWA CHILD WELFARE FUNDING PANEL

Representatives from the Iowa Department of Human services presented as a guest panel discussing Iowa child welfare funding. Panel members included Wendy Rickman, Division Administrator Adult Children and Family Services, Rick Shults, Division Administrator Mental Health and Disability Services, and Jennifer Vermeer, Iowa Medicaid Director. Mr. Shults began by presenting an analysis of funding sources by types of placement including Iowa Juvenile Home and State Training School for Girls, Psychiatric- Medical Institutions for Children (PMIC), and group foster care. Shults focused on Iowa Juvenile Home Funding and Wendy Rickman, Division Administrator Adult Children and Family Services, furthered the discussion focusing on funding of group foster care services. Funding sources identified included State General Fund, Federal IV-B3, Federal IV-E4, Medicaid, and other miscellaneous funds. A handout was available to those in attendance.

Steve Johnson, Clinical Director, Magellan Health Services, discussed Magellan's purpose working with the Iowa Department of Human Services, noting their focus working with PMICs, including Four Oaks, to keep children in the state of Iowa as opposed to placing them out of state. Shultz provided a chart of the number of children placed out of state from State Fiscal Year (SFY) 11 – SFY13. Placements were identified by monthly total and type including PMIC, skilled nursing facility, intermediate care facility for intellectual disability, other institutional, and foster group care.

INCIDENT REVIEW

Iowa Juvenile Home Interim Superintendent Mark Day discussed seclusion and restraint data by month distinguishing boys and girls, Children in Need of Assistance (CINA) and delinquent, location (support unit and cottage), total incidents, and duration (total duration and average duration). A handout was provided that showed seclusion and restraint trend data from January thru July 2013. Seclusion data was identified by hours and showed a decrease from approximately 3,500 hours in January to below 1,000 hours in July. Restraint trend data was identified by number of incidents and showed a decrease from close to 200 incidents in January to less than 100 incidents in July. Mr. Day indicated that restraints had both declined and stabilized.

AFSCME EMPLOYEE PERSPECTIVE

AFSCME Iowa Council 61 President, Danny Homan, introduced three Iowa Juvenile Home employees who spoke about their experiences working as employees of the juvenile home. Two of the employees were Youth Service Workers (YSW) and the third worked in the vocational department. The three employees have worked at the juvenile home ranging from eight years to 26 years. Each of the three juvenile home employee's spoke highly of the children, care, and services provided by the juvenile home. Recommendations from the employees included more training and infrastructure and filling vacant positions.

DISABILITY RIGHTS IOWA

Jane Hudson, Executive Director of Disability Rights IOWA, presented responses to a resident survey they conducted at the juvenile home. The survey asked nine questions of IJH residents and the answers received were included in a handout available to attendees. Ms. Hudson then commented about items from earlier in the meeting including still being unclear about how many staff and children remain the support unit followed by the suggestion that more data is still needed regarding support unit use. Mr. Hudson then asked what the process was for juvenile home employees to raise concerns when they perceive a problem or something that needs to be improved.

IOWA TASK FORCE FOR YOUNG WOMEN

Kathy Nesteby and Jennifer Tibbetts presented on behalf of the Iowa Task Force for Young Women, a subcommittee of the Juvenile Justice Advisory Council. Female responsive services were identified as services that intentionally allow gender identity and development to affect and guide program design and service delivery. Components of female responsive practice programs identified include

providing emotional and physical safety, being culturally appropriate, relationship based, providing positive female role models and mentors, address the abuse in girls' lives, address sexuality, pregnancy and parenting, are strength-based, provide opportunities that promote educational success and employability, address the unique needs of females, provide opportunities for spiritual expression and involve members of girls' families and/or support networks. An information brief of female responsive services was available for those in attendance.

Ms. Nesteby and Ms. Tibbetts also recommended that the juvenile home be a single gender environment serving females. They referenced the Juvenile Justice Advisory Council position paper "Single Gender Environments for Females" from December 2012, which identifies their position as the following: "In order to maximize positive outcomes and effective service delivery to young women and girls in the justice system, the Juvenile Justice Advisory Council supports implementing a single gender environment at the Iowa Juvenile Home/Girls State Training School." The position paper states that "while dual gender environments are not ideal under the best of circumstances, the specific populations service by IJH make it even more challenging." A handout was available to those in attendance.

DEPARTMENT OF EDUCATION: EDUCATION AT IJH

Dave Tilly, Deputy Director Iowa Department of Education, presented four options for summarizing the Department of Education's position on possible options for organization, funding, administration, and oversight of the education program at the Iowa Juvenile Home. The four options were:

1. Department of Human Services and Iowa Juvenile Home continue to provide education program.
2. Department of Human Services and Iowa Juvenile Home continue to maintain oversight authority of the education program and contract out provision of education program.
3. Modify Iowa Code; Assign education program operation to Area Education Agency 267.
4. Modify Iowa Code; Assign education program operation to local school district.

Each option presented included a brief description of what the potential structure might look like, as well as pros and cons relating to the structures according to the Department of Education. The Department of Education panel recommended option four as the option the Department believes is in the best educational interests of the children and youth served at the Iowa Juvenile Home. A handout was available to those in attendance.

COMMITTEE RECOMMENDATIONS DISCUSSION

The Task Force began preliminary discussion of recommendations starting with some of the issues that Mr. Foxhoven believed the Task Force would likely all be on the same page with. The first item discussed was the idea that Iowa legislative code should be changed to accurately reflect what IJH currently does and what their mission is. All Task Force members were in agreement that legislative code should be adjusted to more accurately affect IJH as it is today. Next, the Task Force appeared to be in agreement that the juvenile home should serve girls only and find alternative options to care for boys. The Task Panel stressed the importance of finding other options for the boys of the juvenile home and not leaving them without a place to go.

The Task Force then discussed the physical facilities of the juvenile home preliminarily agreeing that they currently have limitations for the effective care and treatment of the children and also have safety issues. The Task Force preliminarily agreed that the physical plant of the juvenile home needs to be substantially redone. Education services were discussed and the Task Force sees a lot of benefits of having education services at the juvenile home provided by the local school district including potential new funding sources, increased oversight, and a feeling of integration within the community. The Task Force also discussed a recommendation of requiring regular contact from Juvenile Court Officers (JCO) and Guardian Ad Litem's and potential of third-party licensure and oversight.

Finally, the Task Force discussed the issue of whether it is best to serve both delinquent females and Children in Need of Assistance (CINA) females at the juvenile home or whether these two populations should be separated. The Task Force concluded by saying that they should explore the issue further to determine if there are organizations/ options available for CINA females if they were to recommend CINA girls no longer being served at IJH.

CLOSING REMARKS

Next steps for the Task Force as identified by Mr. Foxhoven are to prepare and distribute a written draft of Task Force recommendations to Task Force members within the next day and a half. The Task Force will then be able to provide comments to Mr. Foxhoven leading up to the next and final Task Force meeting on October 7, 2013. A final report providing recommendations to the Governor will be completed and given to the Governor's Office by October 15, 2013.

PUBLIC COMMENT

Jane Hudson, Disability Rights IOWA, made three comments. First, Ms. Hudson stated that a better profile of the delinquent girls at IJH was needed by the Task Force. Second, she pointed out that any children from out of the state of Iowa placed in an institution in Iowa (as discussed earlier in the meeting) would be taking children away from their home states, just as if children in Iowa were placed out of state. Last, Hudson cautioned the Task Force about situations where the court system would have to assign a label to a child (delinquent or CINA) just to find a place for them.

Steve Michael, Department of Human Rights, stated that he was not clear how the Task Force will eliminate the use of seclusion per Executive Order Number Eighty-Two. Mr. Foxhoven replied that the intention of the Task Force is to recommend new building structures at IJH that would then eliminate the current support unit and seclusion rooms.

NEXT MEETING

The next meeting of the Iowa Juvenile Home Task Force will be Monday, October 7, 2013, at 1 p.m., River Place, Conference Room 1A, 2309 Euclid Avenue, in Des Moines.

ADJOURN

The Task Force adjourned at 3:00 p.m.

Submitted by,

Eric W. DeTemmerman, DHS

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